

# House Amendment 1135

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1 1 Amend House File 573 as follows:  
1 2 #1. Page 1, by inserting before line 1 the  
1 3 following:  
1 4 <Section 1. Section 39.17, unnumbered paragraph 1,  
1 5 Code 2003, is amended to read as follows:  
1 6 There shall be elected in each county at the  
1 7 general election to be held in the year 1976 and every  
1 8 four years thereafter, an auditor and a sheriff, each  
1 9 to hold office for a term of four years. If the  
1 10 county board of supervisors makes the office of the  
1 11 clerk of the district court an elective office  
1 12 pursuant to section 331.701, a clerk of the district  
1 13 court shall be elected for a term of four years in  
1 14 each county at the general election to be held in the  
1 15 year 2004 and every four years thereafter.  
1 16 Sec. 2. NEW SECTION. 331.701 OFFICE OF CLERK OF  
1 17 THE DISTRICT COURT.  
1 18 1. Notwithstanding sections 602.1215 and 602.1216,  
1 19 the county board of supervisors may adopt an ordinance  
1 20 making the office of clerk of the district court an  
1 21 elective office except that if a vacancy occurs in the  
1 22 office, a successor shall be appointed to the  
1 23 unexpired term as provided in chapter 69.  
1 24 2. A person elected or appointed to the office of  
1 25 county clerk of the district court shall qualify by  
1 26 taking the oath of office as provided in section 63.10  
1 27 and give bond as provided in section 64.10.  
1 28 3. The term of office of the clerk is four years.  
1 29 4. The duties and responsibilities of an elected  
1 30 clerk of the district court are the same as an  
1 31 appointed clerk of the district court under sections  
1 32 602.8101 through 602.8109.  
1 33 5. The clerk of the district court and employees  
1 34 in the clerk's office shall become county employees on  
1 35 January 1 of the year following the election of the  
1 36 clerk.  
1 37 Sec. 3. Section 602.1303, Code 2003, is amended by  
1 38 adding the following new subsection:  
1 39 NEW SUBSECTION. 10. A county shall pay all  
1 40 expenses of the office of the clerk of the district  
1 41 court if the county board of supervisors makes the  
1 42 office an elective office pursuant to section  
1 43 331.701.>  
1 44 #2. Page 2, by inserting after line 28 the  
1 45 following:  
1 46 <Sec. \_\_\_\_\_. NEW SECTION. 602.8108B CLERK OF COURT  
1 47 ELECTIVE OFFICE == DISTRIBUTION OF COURT REVENUE.  
1 48 If a county board of supervisors makes the office  
1 49 of clerk of the district court an elective office,  
1 50 notwithstanding contrary provisions of section  
2 1 602.8106, subsection 4, and section 602.8108, fifty  
2 2 percent of any fine, penalty, court cost, fee,  
2 3 forfeited bail, or surcharge collected by the clerk of  
2 4 the district court and submitted to the treasurer of  
2 5 state or the state court administrator pursuant to  
2 6 section 602.8105, 602.8106, or 602.8107 or any other  
2 7 Code provision shall be remitted to the county.>  
2 8 #3. Title page, line 2, by inserting after the  
2 9 words <election districts> the following: <, and  
2 10 making the clerk of the district court an elective  
2 11 office>.  
2 12 #4. By renumbering as necessary.  
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2 16 EICHHORN of Hamilton  
2 17 HF 573.202 80  
2 18 jm/sh